UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF MISSISSIPPI

IN RE: ONEKA S. WASHINGTON CASE NO. 20-01611-JAW

DEBTOR(S) CHAPTER 7

UNITED STATES TRUSTEE'S OBJECTION TO DEBTOR'S APPLICATION FOR ALLOWANCE OF COMPENSATION AND REIMBURSEMENT OF NECESSARY EXPENSES OF SPECIAL COUNSEL

COMES NOW David W. Asbach, Acting United States Trustee for Region 5 ("UST"), by and through undersigned counsel, and files this Objection to the Debtor's Application for Allowance of Compensation and Reimbursement of Necessary Expenses of Special Counsel (the "Fee Application," Dkt. #45), and in support thereof respectfully submits the following:

- 1. After notice to all parties, the court may award to a professional (A) reasonable compensation for actual, necessary services rendered by the professional; and (B) reimbursement for actual, necessary expenses. 11 U.S.C. § 330(a)(1). The court shall not allow compensation for duplicate services or services that were not a benefit to the estate or necessary to the administration of the case. § 330(a)(4)(A).
- 2. The UST objects to the Fee Application because special counsel requests total fees and expenses in excess of 50% of the total settlement.
 - 3. The UST also objects to the following case specific expenses:

Deduction for Settlement Administrator	\$241.30
Deduction for Lien Resolution Services	\$175.00
Deduction for Special Master	\$140.00
Archer Fees	\$650.00

CBE \$ 45.00

4. Since these expenses are not itemized as actual, necessary expenses, the charges should be denied.

- 5. In another case, the Court recently denied a similar \$700.00 "Bankruptcy Fee" requested on behalf of Archer. *See In re Fretham & Mitchell*, Case No. 15-03337-JAW, Dkt. #95 (Bankr. S.D. Miss. Sept. 7, 2023).
 - 6. The UST reserves the right to bring further objections at any hearing on this matter.

WHEREFORE, PREMISES CONSIDERED, the United States Trustee prays that the fee application be denied. The United States Trustee also prays for all general relief to which entitled in these premises.

RESPECTFULLY SUBMITTED, this the <u>15th</u> day of November, 2023.

DAVID W. ASBACH Acting United States Trustee Region 5, Districts of Louisiana and Mississippi

By: <u>/s/Christopher J. Steiskal, Sr.</u> CHRISTOPHER J. STEISKAL, SR.

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing pleading has been served on the below-named individual(s) this day via first class United States Mail at the address listed below or electronically served via the electronic mail address on file with the Court's CM/ECF system:

Thomas C. Rollins, Jr.

Eileen N. Shaffer

DATED, this the 15th day of November, 2023.

/s/Christopher J. Steiskal, Sr. CHRISTOPHER J. STEISKAL, SR.